

Notice of Allowability

Application No.

10/805,299

Examiner

TISHA D. LEWIS

Applicant(s)

CHEN, LI-YU

Art Unit

3681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the application filed on March 22, 2004.
2. ☒ The allowed claim(s) is/are 1-22.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

The following is a first action on the merits of application serial no. 10/805,299 filed on March 22, 2004.

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

- In the abstract, line 5, after "By", "means" has been changed to –operation-.
- In claim 3, line 5, "along the rotary shaft" has been deleted to provide antecedent basis between the "rotary shaft" limitations between lines 5 and 6.
- In claim 5, line 6, "abutted" has been changed to –abutt-.
- In claim 8, line 25, "engaged" has been changed to –engage-.
- In claim 8, line 26, the comma after "drives" has been deleted and –and- has been inserted between "gear" and "the".
- In claim 8, line 29, "engaged" has been changed to –engage-.
- In claim 8, line 30, the comma after "drives" has been deleted and –and- has been inserted between "gear" and "the".

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-In claim 9, line 5, before "end side", "the" has been changed to –an–.

-In claim 11, line 6, before "end side", "the" has been changed to –an–.

-In claim 13, line 8, "abutted" has been changed to –abut–.

-In claim 19, line 25, "engaged" has been changed to –engage–.

-In claim 19, line 26, the comma after "drives" has been deleted and –and– has been inserted between "gear" and "the".

-In claim 19, line 30, "engaged" has been changed to –engage–.

-In claim 19, line 31, the comma after "drives" has been deleted and –and– has been inserted between "gear" and "the".

-In claim 20, line 6, "abutted" has been changed to –abut–.

-In claim 22, line 8, before "end side", "the" has been changed to –an–.

Allowable Subject Matter

Claims 1-22 are allowed. The following is an examiner's statement of reasons for allowance: The prior art of record does not disclose or render obvious a motivation to provide for:

-(as to claim 1) an automatic gear transmission apparatus having a clutch mechanism connected to a motor to optionally output the motor power through a first or second gear set in combination with an actuating apparatus connected to the clutch, a gear selection mechanism connected to the first gear set and a gear transmission mechanism connected to the second gear set in combination with all the remaining limitations of claim 1.

-(as to claim 15) an automatic gear transmission apparatus having a clutch mechanism connected a power source to optionally output the power of the power source through a first or second transmitting mechanism in combination with an actuating apparatus connected to the clutch and a sleeve rod commonly driven by the first and second transmitting mechanism to provide a linear motion through the first mechanism and a rotary motion through the second mechanism in combination with all the remaining limitations of claim 15.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

-Norum et al ('158), Rogg et al ('927), Reik et al ('862) and Barth et al ('813).


Any inquiry concerning this communication or earlier communications from the examiner should be directed to TISHA D. LEWIS whose telephone number is 571-272-7093. The examiner can normally be reached on M-Thur 6 AM TO 2:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, CHARLES A. MARMOR can be reached on 571-272-7095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tdl
September 19, 2005


TISHA LEWIS
PRIMARY EXAMINER
AU 3681 9/19/05